



Serving Island, Skagit & Whatcom Counties

**MARCH POINT COGENERATION COMPANY
ANACORTES, WASHINGTON**

AIR OPERATING PERMIT

December 1, 2005

AIR OPERATING PERMIT Information Page

March Point Cogeneration Company 8507 South Texas Road, Anacortes, Washington 98221

SIC: 4931
EPA AFS: 53-07-0045

NWCAA ID: 441-V-S

Responsible Corporate Official

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Prepared by:

Dan Mahar, PE
Air Quality Engineer
Extension 203

Air Operating Permit Number: 005R1	Issuance Date: December 1, 2005
Permit Modifications	Modification Date:
Supersedes Permit Number: 005 Modification 1	Expiration Date: December 1, 2010
Initial Application Date: August 15, 2005	Renewal Application Due: June 1, 2010

Attest

This operating permit is issued in accordance with the provisions of the Washington Clean Air Act Chapter 70.94 Revised Code of Washington and the Clean Air Act 42 United States Code, Section 7401 *et seq.*

March Point Cogeneration Company is authorized to operate subject to the terms and conditions of this operating permit.

This operating permit has been reviewed by the undersigned professional engineer.

This operating permit has been reviewed by the undersigned professional engineer.

This operating permit has been issued by the undersigned.

Date:

Daniel A. Mahar, PE
Air Quality Engineer
Northwest Clean Air Agency

Date:

Lynn Billington, PE
Technical Services Manager
Northwest Clean Air Agency

Date:

James Randles
Director
Northwest Clean Air Agency

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SECTION 1 - EMISSION UNIT IDENTIFICATION

The table below lists air pollution emission units at the March Point Cogeneration Company facility and their physical characteristics.

Table 1 - EMISSION UNIT IDENTIFICATION

Source	Description	Capacity Ratings		Control
		Gas	Liquid	
Combustion Turbine Units 1, 2 and 3 (one stack per unit.)	Each unit is a GE Frame 6 Model MS6000 combined cycle combustion turbine. Each turbine is equipped with a duct burner upstream of the HRSG.	40 Mw per turbine 450 MMBtu/hr heat input per turbine 163 MMBtu/hr heat input per duct burner	40 Mw per turbine 450 MMBtu/hr heat input per turbine Duct burners do not burn liquid fuels	SO ₂ : fuel bound sulfur content limitations NO _x : steam injection and selective catalytic reduction with ammonia injection Particulate, VOC, and CO: good combustion practices CEMs for NO _x , SO ₂ , CO, NH ₃ and O ₂

SECTION 2 - STANDARD TERMS AND CONDITIONS

Standard terms and conditions are administrative and/or other requirements that typically have no ongoing compliance monitoring requirements. The permittee must comply with the requirements listed below. All listed terms and conditions are federally enforceable unless identified as a “state only” requirement. A requirement designated “state only” is enforceable only by the state or the NWCAA, and not by EPA or through citizen suits. Unless the text of the term is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement. A permit condition labeled “Directly Enforceable” is a legal requirement, and the permit shield in condition 2.3.1 of this permit applies to those conditions.

2.1 Compliance Requirements

2.1.1 Duty to Comply

2.1.1.1 WAC 173-401-620(2)(a) (10/4/93)

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of RCW 70.94 and, for federally enforceable provisions, a violation of the FCAA. Such violations are grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.

2.1.1.2 NWCAA 322.3 (11/12/99)

It shall be unlawful for any person to operate a source that is subject to the requirements of Chapter 173-401 WAC without complying with the provisions of Chapter 173-401 WAC and any permit issued under its authority.

2.1.2 Civil and Criminal Penalties

2.1.2.1 WAC 173-400-230(2) (2/17/93), WAC 173-400-240 (2/19/91), NWCAA 132 & 133 (10/13/94), and Section 113 of the FCAA

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above.

2.1.2.2 State Only: NWCAA 132 (3/13/97) and NWCAA 133 (7/14/05)

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above. Under this “State Only” version of NWCAA 132, criminal penalties may be assessed on a “per day, per violation” basis.

Any person who violates the provisions of the applicable chapters of the RCW or the Regulations of the Northwest Clean Air Agency or aids and abets in a violation shall be subject to civil penalties as stated in the above regulations.

2.1.3 Need to Halt or Reduce Activity Not a Defense

WAC 173-401-620(2)(b) (10/4/93)

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.

2.1.4 Duty to Provide Information

WAC 173-401-620(2)(e) (10/4/93)

The permittee shall furnish to the NWCAA, within a reasonable time, any information that the NWCAA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the NWCAA copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the EPA Administrator along with a claim of confidentiality. The NWCAA shall maintain confidentiality of such information in accordance with RCW 70.94.205 and the NWCAA Regulation.

2.1.5 Confidential Information

2.1.5.1 NWCAA 114.1 (4/14/93)

Whenever the permittee requests that records or information eligible for confidentiality status be made confidential by the Board of Control Officers of the NWCAA, the NWCAA shall maintain confidentiality of such information in accordance with NWCAA 114. The records or information shall be only for the confidential use of the Board, the Advisory Council, and NWCAA staff, but may not be accessed if, in the opinion of the Board, there is a conflict of interest.

2.1.5.2 State Only: NWCAA 114.1 (3/13/97)

Whenever any records or other information other than ambient air quality data or emission data furnished to or obtained by the Agency, relates to processes or production unique to the owner or operator, or are likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the NWCAA. Nothing herein shall be construed to prevent the use of records or information by the NWCAA in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere: PROVIDED, that such analyses or summaries do not reveal any information otherwise confidential under the provisions of this section: PROVIDED FURTHER, that emission data furnished to or obtained by the Board shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at offices of the Board.

2.1.6 Inspection and Entry

WAC 173-400-105(3)(1/10/05), WAC 173-401-630(2) (10/4/93) NWCAA 110 & 111 (1/8/69)

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow Ecology, NWCAA or an authorized representative to perform the following:

- (i) enter upon the permittee's premises where a Chapter 401 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the condition of the permit;
- (iii) inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (iv) sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

No person shall willfully interfere with or obstruct the Control Officer or any NWCAA employee and/or assigned agent in carrying out any lawful duty.

2.1.7 Investigation and Studies

NWCAA 110 (1/8/69)

The Control Officer and/or his qualified agents may make any reasonable investigation or study which is necessary for the purpose of standards or any amendments thereto on reducing the amount or kind of contaminant.

When investigating conditions specific to the control, recovery or release of air contaminants, the Control Officer or his duly authorized representatives shall have the power to enter at reasonable times upon any private or public property, except non-multiple unit private dwellings housing two families or less.

If an authorized employee of the Agency, during the course of an inspection desires to obtain a sample of air contaminant, he shall notify the owner or lessee of the time and place of obtaining a sample so the owner or lessee has the opportunity to take a similar sample at the same time and place. A receipt shall be given to the owner or lessee for the sample obtained.

2.1.8 Source Testing

2.1.8.1 WAC 173-400-105(4) (8/20/93)

To demonstrate compliance, Ecology or the NWCAA may conduct or require that a test be conducted of the source using approved EPA methods from 40 CFR Parts 51, 60, 61 and 63 (in effect on February 20, 2001), or approved procedures contained in "Source Test Manual – Procedures for Compliance Testing," state of Washington, Department of Ecology, as of July 12, 1990. The operator of a source may be required to provide the necessary platform and sampling ports for ecology personnel or others to perform a test of an emissions unit. Ecology shall be allowed to obtain a sample from any emissions unit. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

2.1.8.2 State Only: WAC 173-400-105(4) (1/10/05)

To demonstrate compliance, the required test must be conducted using approved EPA methods from 40 CFR 60 Appendix A, adopted by reference. All other language is the same as 2.1.8.1.

2.1.8.3 State Only: NWCAA 367 and Appendix A (7/14/05)

Source tests required by NWCAA (not RATA's) to assess compliance with an air emission standard shall be conducted according to the following provisions:

- (i) A source test plan shall be submitted for approval by the NWCAA for all compliance source tests at least 30 days prior to scheduled testing. A summary of the test shall accompany the test plan and be submitted on a template provided by NWCAA.
- (ii) Once a test plan has been approved, any changes in test dates or methodology shall require NWCAA approval.
- (iii) Results of required source tests must be submitted within sixty days of completion of the test unless prior approval is granted by NWCAA.

2.1.9 Testing and Sampling

2.1.9.1 NWAPA 360.1 (3/13/97)

Any person operating or using any article, machine, equipment or other contrivance shall provide and maintain such sampling and testing facilities as specified in the approval to construct or an air operating permit.

2.1.9.2 State Only: NWCAA 367 and Appendix A (7/14/05)

All ambient monitoring, compliance testing, continuous monitoring systems and continuous opacity monitoring systems required by a regulation, order of approval or permit issued by the NWCAA shall comply with the applicable requirement of this (subject) regulation. The applicable requirements of this Section and Appendix A are in addition to any monitoring testing, calibration or quality assurance/quality control requirements that otherwise apply.

Any person operating an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer:

The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Agency, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

Once initiated, a compliance test shall be completed unless interrupted by severe weather, test equipment failure or other conditions beyond control of the facility. Failure to complete a test shall be a violation of the requirement to test, and, in cases where the initial data indicate a non-compliance of the applicable emission standard, the results may be considered a violation of that standard. A test

2.1.10 Ambient Air and Continuous Emission Monitoring

2.1.10.1 NWAPA 365.1 (11/12/99)

Any person operating an air contaminant source or an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer under the following provisions:

The Board or Control Officer may require any person operating any source to conduct a monitoring program on site or adjacent off site for emissions, ambient air concentrations or any other pertinent special studies deemed necessary. All monitoring data shall be submitted in a form which the Board or Control Officer may require. Averaging time and collection periods will be determined by the Control Officer. Failure to record and/or report data as specified in the "Guidelines for Industrial Monitoring Equipment and Data Handling" may be cause for a Notice of Violation to be issued.

All data and records shall be kept for a period of at least one year and made available to the Control Officer upon request.

All required continuous emission monitors or required opacity monitors used to monitor compliance must meet appropriate EPA performance specifications (40 CFR 60, Appendix B) and shall be calibrated and maintained in accordance with the "Guidelines for Industrial Monitoring Equipment and Data Handling" procedures approved by the Control Officer.

The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Authority, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

The Board or the Control Officer may require additional reasonable monitoring be undertaken at any appropriate time to insure compliance with this Regulation.

2.1.10.2 *State Only: NWCAA 367 and Appendix A (7/14/05)*

All ambient air monitors shall be operated and maintained as required by the appropriate Sections of 40 CFR Parts 50 and 58.

A Quality Assurance (QA) manual and station log book shall be kept for all stations. Written calibration and precision/span check procedures shall be included in the QA manual. A station audit shall be conducted by NWCAA at least once per year.

Unless subject to acid rain regulations (40 CFR Part 72 and 75), all continuous emissions monitoring (CEM) systems shall be capable of meeting appropriate EPA performance specifications using procedures outlined in 40 CFR Part 60 Appendix B. CEMs subject to acid rain regulations shall be capable of meeting the specifications outlined in the appropriate Section 40 CFR Part 75.

All CEMs shall be operated in accordance with the appropriate section of 40 CFR Part 60 Appendix F, and the operator shall assess the operation of each CEM daily.

Continuous opacity monitors shall be maintained according to "Recommended Quality Assurance Procedures for Opacity Continuous Monitoring Systems" (EPA 340/1-86-10) and the manufacturer's procedures. All gaseous CEMs shall be maintained using the QA criteria of 40 CFR Part 60 Appendix F and the manufacturer's procedures.

Auditing of opacity monitors shall be conducted according to recommended procedures. Data accuracy assessments shall be conducted at least once every calendar quarter for gaseous monitors and at appropriate periodic intervals. Relative Accuracy Tests (RATA's), Relative Accuracy Audits (RAA's) and Cylinder Gas Audits (CGA's) shall be employed as described in 40 CFR Part 60.

Strip charts and approved data acquisition systems shall be used to capture and store data. All data must be retained for a period of at least five years and be available to the NWCAA upon request.

CEMs are required to maintain greater than 90% data availability on a monthly basis. A supplemental report shall be submitted if during any calendar month a CEM fails to produce 90% data availability stating the reasons for the low data availability.

2.2 Permit Terms

2.2.1 Permit Expiration and Renewal

WAC 173-401-610 (10/4/93) and WAC 173-401-710 (9/16/02)

This permit is issued for a fixed term of five years from date of issuance. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted. A complete permit renewal application shall be submitted to the NWCAA no more than eighteen months and no later than six months prior to expiration.

2.2.2 Permit Actions

WAC 173-401-620(2)(c) (10/4/93)

This permit may be modified, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

2.2.3 Emissions Trading

WAC 173-401-620(2)(g) (10/4/93)

No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes, for changes that are provided for in this permit.

2.2.4 Emission Reduction Credits

State Only: WAC 173-400-136 (1/10/05)

An emission reduction credit may be used in accordance with the applicable regulation listed above.

2.2.5 Severability

WAC 173-401-620(2)(h) (10/4/93)

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable.

2.2.6 Permit Appeals

WAC 173-401-620(2)(i) (10/4/93) and WAC 173-401-735 (4/2/97)

The permit or any conditions in it may be appealed only by filing an appeal with the pollution control hearings board and serving it on the NWCAA within thirty days of receipt. This provision for appeal is separate from and in addition to any federal rights to petition and review under §505(b) of the FCAA.

2.2.7 Permit Continuation

WAC 173-401-620(2)(j) (10/4/93)

This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete application has been submitted. If a timely and complete application has been submitted, an application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied.

2.2.8 Reopening for Cause

WAC 173-401-730(10/4/93)

The permit shall be reopened and revised under any of the following circumstances:

- (i) Additional requirements become applicable to the source with a remaining permit term of three or more years. Such a reopening shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to WAC 173-401-620(2)(j);
- (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the EPA Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
- (iii) The NWCAA or the EPA Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
- (iv) The NWCAA or the EPA Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

2.2.9 Changes Not Requiring Permit Revisions/Off-Permit Changes

WAC 173-401-722 (9/16/02) and WAC 173-401-724 (10/4/93)

The permittee may make the changes described in WAC 173-401-722 and WAC 173-401-724 without revising this permit, provided that the changes satisfy the criteria set forth in those sections.

2.2.10 Permit Modifications

WAC 173-401-720 (10/4/93) and WAC 173-401-725 (10/4/93)

This permit may be revised as provided in WAC 173-401-720 (administrative permit amendments) and 173-401-725 (permit modifications).

2.2.11 Property Rights

WAC 173-401-620(2)(d) (10/4/93)

This permit does not convey any property rights of any sort, or any exclusive privilege.

2.2.12 Definitions

2.2.12.1 NWCAA Section 200 (11/13/93)

Particular references to terms not otherwise defined in this permit or the associated Statement of Basis have the meaning assigned to them in the specific regulation being cited. The terms NWCAA, Ecology, and EPA shall mean the Northwest Clean Air Agency, the Washington State Department of Ecology, and the United States Environmental Protection Agency, respectively. FCAA means the Federal Clean Air Act.

2.1.12.2 State Only: NWCAA 200 (7/14/05)

In the new version of the NWCAA Regulations some of the definitions have been modified slightly to provide clarification and some have been revised to include an expanded definition of the term.

2.2.13 Compliance Schedule

WAC 173-401-630(3) (10/4/93)

The permittee shall continue to comply with all applicable requirements with which the source was in compliance as of the date of permit issuance. The permittee shall meet on a timely basis any applicable requirements that become effective during the permit term.

2.2.14 Permit Fees

WAC 173-401-620(2)(f) (10/4/93)

The permittee shall pay fees as a condition of this permit in accordance with the NWCAA fee schedule.

2.3 Permit Shield

2.3.1 Shield Requirement

WAC 173-401-640(1) (10/4/93)

Compliance with a permit condition shall be deemed compliance with the applicable requirements upon which that condition is based, as of date of permit issuance. The permit shield does not apply to any insignificant emissions unit or activity designated under WAC 173-401-530.

2.3.2 Inapplicable Requirements

WAC 173-401-640(2) (10/4/93)

As of the date of permit issuance, the requirements listed in Section 5 of the permit do not apply to the permittee. The permit shield applies to all requirements so identified.

2.3.3 Exclusions

WAC 173-401-640(4) (10/4/93)

Nothing in this section or in this permit shall alter or affect the following:

- (i) the provisions of Section 303 of the FCAA (emergency orders), including the authority of the EPA Administrator under that section;
- (ii) the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- (iii) the ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- (iv) the ability of the permitting authority to establish or revise requirements for the use of reasonably available control technology as provided in RCW 70.94.154.

2.3.4 Reasonably Available Control Technology

2.3.4.1 WAC 173-401-605(3) (10/4/93)

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance shall be considered RACT for purposes of permit issuance or renewal.

2.3.4.2 WAC 173-400-040 (8/20/93)

All emissions units are required to use reasonably available control technology (RACT) which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in Section 8, Chapter 252, Laws of 1993, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.4.3 State Only: WAC 173-400-040 (1/10/05)

All emissions units are required to use reasonably available control technology (RACT) which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in RCW 70.194.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.5 Emergencies

WAC 173-401-645 (10/4/93)

An emergency, as defined in WAC 173-401-645(1), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if conditions of WAC 173-401-645 (3) and (4) are met. This provision is in addition to the affirmative defense for unavoidable excess emissions found in any applicable requirement.

The permittee shall submit a notice of emergency to the Agency within two working days of the time when the emission limitation was exceeded due to an emergency or shorter periods of time specified in an applicable requirement.

2.4 Recordkeeping and Reporting

2.4.1 Compliance Certification

2.4.1.1 WAC 173-401-630(5) (10/4/93)

The Permittee shall submit ongoing certifications of compliance with permit terms and conditions. The first such certification shall cover the period from the last compliance certification until issuance of this revised permit. The following compliance certification shall cover the period from permit issuance to December 31, 2005. Subsequent compliance certifications shall be made on a yearly basis. Each certification shall include:

- (i) The identification of each term and condition of the permit that is the basis of the certification;
- (ii) The compliance status;
- (iii) Whether the compliance was continuous or intermittent;
- (iv) The methods used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring, Recordkeeping, and Reporting requirements.

All compliance certifications shall be submitted to EPA Regions 10 and the Northwest Clean Air Agency at the following addresses, by February 28 for the previous calendar year:

Environmental Protection Agency
Mail Stop OAQ-107
Attn: Air Operating Permits
1200 Sixth Avenue
Seattle, WA 98101

Northwest Clean Air Agency
Attn: Air Operating Permits
1600 South Second Street
Mount Vernon, WA 98273-5202

2.4.1.2 WAC 173-401-520 (10/4/93)

Any application form or compliance certification that is submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

2.4.1.3 WAC 173-401-615 (9/16/02) and 630 (10/4/93) *Directly Enforceable Text*

All required monitoring reports must be certified by a responsible official consistent with WAC 173-401-520. All semiannual monitoring certifications are due as follows:

- January 31 for reports from July through December
- July 31 for reports from January through June

2.4.1.4 WAC 173-401-530(2)(d) (9/16/02)

Where a permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, the permittee may certify continuous compliance if there were no observed, documented, or known instances of noncompliance during the reporting period. Where a permit requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, the permittee may certify continuous compliance when the testing, monitoring and recordkeeping required by the permit revealed no violations during the period, and there were no observed, documented or known instances of noncompliance during the reporting period.

2.4.2 False and Misleading Oral Statement: Unlawful Reproduction or Alteration of Documents

2.4.2.1 NWCAA 112 (2/14/73)

No person shall willfully make a false or misleading oral statement to the Board as to any matter within the jurisdiction of the Board.

No person shall reproduce or alter or cause to be reproduced or altered any order or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of this Agency, or any other law.

2.4.2.2 State Only: NWCAA 112 (11/12/99)

No person shall willfully make a false or misleading oral statement to the NWCAA Board, Control Officer, or their duly authorized representatives as to any matter within the jurisdiction of the Board.

No person shall reproduce or alter or cause to be reproduced or altered any order or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of this Agency, or any other law.

2.4.3 Required Recordkeeping

2.4.3.1 WAC 173-401-615(2)(9/16/02)

Records of required monitoring information shall include, where applicable, the following:

- (i) The date, time, and location of sampling or measurements;
- (ii) The operating conditions existing at the time of sampling or measurement;
- (iii) If analyses were performed, the date, company or entity performing the analyses, the analytical techniques or methods used, and the results of such analyses;

A record shall be kept describing changes made that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

Records of all required monitoring data and support information will be retained for a period of five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

2.4.3.2 WAC 173-401-615 (9/16/02) and 630 (10/4/93)
Directly Enforceable Text

Monitoring and associated recordkeeping is not required when an emission unit is not operating and there are no emissions to the atmosphere. The facility must record the time periods that the unit is shut down and not monitored, and include the time periods and a summary of why the emission unit was shut down in the periodic report of monitoring required by WAC 173-401-615(3)(a).

2.4.4 Pollutant Disclosure - Reporting by Air Contaminant Sources

2.4.4.1 NWCAA 150 (9/8/93) and WAC 173-400-105(1) (8/15/01)

The permittee shall file annually at a time determined by the NWCAA and on forms furnished by the NWCAA a report setting forth:

- (i) the nature of the enterprise;
- (ii) a list of process materials which are potentially significant sources of emissions used in, and incidental to, its manufacturing processes, including any by-products and waste products;
- (iii) the estimated annual total production of wastes discharged into the air in units and contaminants designated by the NWCAA.

Annual emission reports shall be submitted to the NWCAA within 105 days after the end of the previous calendar year. If the emission report is not submitted by the required date and the emissions are used to determine operating permit fees as described in NWCAA Regulation 324.126 then potential to emit will be used to determine said fees.

The permittee shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

2.4.4.2 State Only: WAC 173-400-105(1)(1/10/05)

The difference between this latest version of WAC 173-400-105(1) and the (8/15/01) version is the requirement to include oxides of nitrogen, PM_{2.5}, and ammonia to the list of emissions that must be reported. In addition, the new version states that emission estimates may be based on the most recent published EPA emission factors or other information available to the source, whichever is the better estimate.

2.4.4.3 State Only: NWCAA 150 (11/12/99)

The difference between the 11/12/99 version of NWCAA 150 and the 9/8/93 version consists in the citation of operating permit fees in NWCAA 322.4, rather than NWCAA 324.126.

2.4.5 Reporting of Deviations from Permit Conditions

WAC 173-401-615(3)(b) (9/16/02) Directly Enforceable Text

Prompt Reporting of Deviations: The permittee shall promptly report all deviations from permit requirements, including those attributable to upset conditions as defined in this permit. The report shall include a description of the probable cause of such deviations, if known, and any corrective actions or preventive measures taken. Prompt means reporting according to the shortest time period listed below which applies to the situation:

- (i) In the case where the deviation represents a potential threat to human health or safety “prompt” means as soon as possible, but in no case later than twelve hours after the deviation is discovered. A follow up report on the deviation shall be included in the next monthly report.
- (ii) For all other deviations, the deviation shall be reported as part of the next routine monitoring report, but no later than 30 days after the end of the month during which the deviation is discovered, whichever is sooner.

2.4.6 Report of Breakdown and Upset

2.4.6.1 NWCAA 340.1, 340.2 and 340.3 (10/13/94)

If a breakdown or upset condition occurs which results in or may have resulted in an emission and/or ambient air quality standard being exceeded, the owner or operator of the source shall take the following actions:

- (i) The upset or breakdown shall be reported as promptly as possible and in no event later than 12 hours to the NWCAA.
- (ii) The person responsible shall, upon the request of the Control Officer, submit a full report within 10 days including the known causes, corrective measures taken, and preventive measures to be taken to minimize or eliminate a recurrence.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with all the requirements of this Regulation nor from the resulting liabilities for failure to comply.

It shall be prima facie evidence of violation of this Regulation if any control equipment is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed, under 340.1, or any other equipment creates new or increased emissions to the atmosphere as the result of being turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under Section 340.1.

2.4.6.2 State Only: NWCAA 340.1, 340.2, and 340.3 (7/14/05)

If a breakdown or upset condition occurs which results in or may have resulted in an emission and/or ambient air quality standard being exceeded, the owner or operator of the source shall take the following actions:

- (i) The upset or breakdown shall be reported as promptly as possible and in no event later than 12 hours to the NWCAA.
- (ii) The responsible official or his designee shall, submit a full report on forms provided by NWCAA within 30 days after the end of a calendar month in which the upset occurred and must include as a minimum the known causes, corrective action taken, preventive measures put in place to reduce the possibility of or eliminate a recurrence and an estimate of the quantity of emissions above the applicable limit caused by the event.

In addition to the reporting requirements of the 10/13/94 version of NWCAA Section 340, the permittee must also report to the NWCAA if the emission release to the air requires agency notification as specified in 40 CFR 302 (CERCLA) or 40 CFR 355 (SARA).

It shall be prima facie evidence of violation of this Regulation if any other equipment creates new or increased emissions to the atmosphere as the result of being turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under NWCAA Section 340.1.

2.4.7 Report of Shutdown or Startup

2.4.7.1 NWCAA 341.1, 341.2, 341.3 (9/8/93)

If the permittee schedules a total or partial shutdown or startup of control or process equipment which may result in emissions or any additional emissions to the atmosphere which may temporarily exceed the emission standards of this Regulation; the permittee shall notify the NWCAA prior to the shutdown or startup.

Prompt notification shall be made and in no event less than 24 hours before the scheduled shutdown or startup. The permittee shall submit a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reasons for and duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of emission.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with the requirements of this Regulation nor from the resulting liabilities for failure to comply.

2.4.7.2 State Only: NWCAA 341.1, 341.2, 341.3 and 341.5 (7/14/05)

If the permittee schedules a total or partial shutdown or startup of control or process equipment that the source reasonably believes would result in emissions which may temporarily exceed an emissions standard of this Regulation, the permittee shall notify the NWCAA in advance of the shutdown or startup.

The advance notification shall include a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reason for and the duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of the emission.

2.4.8 Operation and Maintenance

NWAPA 342.3 (9/8/93)

If a breakdown or violation occurs and is due to the improper operation or maintenance of equipment, the owner or operator of the source will, in addition to filing a report of breakdown under NWAPA Regulation 340, submit a report on what measures will be taken in training or re-orienting personnel to prevent a recurrence of the breakdown

2.4.9 Excess Emissions

2.4.9.1 WAC 173-400-107 1, 2, 3, 4, 5, and 6 (8/20/93)

The permittee shall have the burden of proving to Ecology or the NWCAA or the decision-making authority in an enforcement action that excess emissions were unavoidable. Excess emissions determined to be unavoidable under the procedures and criteria of this section shall be excused and not subject to penalty.

Excess emissions which represent a potential threat to human health or safety or which the owner or operator of the source believes to be unavoidable shall be reported to ecology or the NWCAA as soon as possible. Other excess emissions shall be reported within thirty days after the end of the month during which the event occurred or as part of the routine emission monitoring reports. Upon request by Ecology or the NWCAA, the permittee shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.

Excess emissions due to startup or shutdown shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

Excess emissions due to scheduled maintenance shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through reasonable design, better scheduling for maintenance or through better operation and maintenance practices. Excess emissions due to upsets shall be considered unavoidable provided the source reports as required and adequately demonstrates that:

- (a) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (b) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
- (c) The permittee took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

2.4.9.2 State Only: NWCAA 340.4 (7/14/05), and 341.4 (7/14/05)

Excess emissions due to breakdowns and upsets shall be considered unavoidable, and not subject to penalty, provided the source adequately demonstrates that:

- (i) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition.
- (ii) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
- (iii) The permittee took immediate and appropriate corrective action in a manner consistent with good air pollution control practice.
- (iv) The emissions did not result in a violation of an ambient air quality standard.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the source adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, the emissions did not result in a violation of an ambient air quality standard and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

The Responsible Official or his designee shall submit a full report on forms provided by NWCAA no later than 30 days after the end of the month in which the startup, shutdown, breakdown or upset occurred that resulted in the exceedance of an ambient or emission standard and must include as a minimum the known causes, corrective action taken, preventative measures put in place to reduce the possibility of or eliminate a recurrence an estimate of the quantity of emissions above the applicable limit caused by the event.

2.4.10 Duty to Supplement or Correct Information

WAC 173-401-500(6) (9/16/02)

Upon becoming aware that the source has failed to submit any relevant facts in a permit application or that information submitted in a permit application is incorrect, the source shall promptly submit such supplementary facts or corrected information.

2.5 Prohibitions

2.5.1 Concealment and Masking

2.5.1.1 WAC 173-400-040(7) (1/10/05)

No person shall cause or permit the installation or use of any means, which conceals or masks an emission of an air contaminant, which would otherwise violate the provisions of this chapter.

2.5.1.2 State Only: NWCAA 540 (1/8/69)

It shall be unlawful for any person to willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of air contaminant which would otherwise violate the emission standards of this Regulation.

It shall be unlawful for any person to cause or permit the installation or use of any device or use of any means designed to mask the emission of an air contaminant, which causes detriment to health, safety, or welfare of any person.

2.5.2. Adjustment for Atmospheric Conditions

WAC 173-400-205 (2/19/91)

The permittee shall not vary the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant except as directed according to air pollution episode regulations.

2.5.3 Outdoor Burning

2.5.3.1 WAC 173-425-036 (9/17/90) and WAC 173-425-045 (1/3/89), WAC 173-435-050(2) (01/3/89) Although SIP-Approved, WAC 173-425-036 and -045 have been repealed.

No person shall conduct outdoor burning during an air pollution episode or a declared period of impaired air quality. Except as provided in WAC 173-425-055, the following materials shall not be burned in any open fire: (1) garbage, (2) dead animals, (3) asphaltic products, (4) waste petroleum products, (5) paints, (6) rubber products, (7) plastics, (8) treated wood, and (9) any substance, other than natural vegetation, which normally emits dense smoke or obnoxious odors.

2.5.3.2 State Only: WAC 173-425-040, 050, and 060(3/13/00), NWCAA 502 (7/14/05)

No person shall conduct outdoor burning except in accordance with the applicable regulations listed above. Outdoor burning shall be conducted under a valid fire permit and shall not contain prohibited materials, unless specifically exempted. Emissions from burning shall not create a nuisance and/or interfere with visibility on any public road.

2.5.4 Asbestos

2.5.4.1 State Only: NWCAA 570 (7/14/05)

The permittee shall conduct all renovation or demolition projects in accordance with the applicable asbestos control standards listed in NWCAA Section 570.

2.5.4.2 40 CFR 61.145(1/16/91), 61.148(11/20/90) and 61.150(1/16/91)

The permittee shall comply with Title 40 CFR Sections 61.145, 61.148 and 61.150 when conducting any renovation or demolition at the facility.

2.5.5 Stratospheric Ozone and Climate Protection

2.5.5.1 40 CFR 82 Subpart F (As amended through 8/20/2001)

The permittee shall comply with the standards for recycling and emissions reduction in accordance with the requirements listed in 40 CFR 82 Subpart F.

2.5.5.2 State Only: RCW 70.94.970 (1991 c 199 §602)

A person who services or repairs or disposes of a motor vehicle air conditioning system; commercial or industrial air conditioning, heating, or refrigeration system; or consumer appliance shall use refrigerant extraction equipment to recover regulated refrigerant that would otherwise be released into the atmosphere. This subsection does not apply to off-road commercial equipment.

The willful release of regulated refrigerant from a source listed in this section is prohibited.

2.5.6 Display of Orders, Certificates and Other Notices: Removal or Mutilation Prohibited

NWCAA 124 (2/14/73)

Any order or other certificate obtained from the NWCAA shall be available at the facility. If the NWCAA requires a notice to be displayed, it shall be posted. No one shall mutilate, obstruct or remove any notice unless authorized to do so by the NWCAA.

2.5.7 Obstruction of Access

State Only: RCW 70.94.200, (1987 c 109 §38)

The permittee shall not obstruct, hamper or interfere with any authorized representative of the NWCAA who requests entry for the purposes of inspection and who presents appropriate credential; nor shall any person obstruct, hamper, or interfere with any such inspection.

2.5.8 Notice of Construction and Application for Approval/New Source Review

2.5.8.1. WAC 173-400-110 (8/20/93), NWCAA 300, 301, 302 & 324.2 (10/13/94), and NWCAA 303 (8/9/78)

No person shall construct, install, establish, modify or alter an air contaminant source or an emission unit without filing a “notice of construction and Application for Approval” and receiving approval for the Agency in accordance with the cited regulations.

2.5.8.2 State Only: WAC 173-400-560 (1/10/05) and NWCAA 300.14 (7/14/05)

An owner or operator may apply for an applicable general order for approval to construct certain specified sources as defined in this part. A general order of approval shall identify criteria by which an emission unit or source may qualify for coverage under a general order of approval and shall include terms and conditions for installing and/or operating the source.

2.5.8.3 State Only: NWCAA 300.15 (7/14/05)

It shall be unlawful for an owner or operator of a source or emission unit to not abide by the operating and reporting conditions in the Order of Approval.

2.5.8.4 State Only: WAC 173-400-710, 720, 730, 740 and 750 (1/10/05), WAC 173-460-040(1/14/94), WAC 273-400-141 (8/15/01) NWCAA 300.1-300.13, 301 (7/14/05), 303 (11/12/98), and 324.2 (7/14/05)

A Notice of Construction or PSD permit application must be filed by the owner or operator and an Order of Approval or PSD permit issued by the Agency prior to the establishment of any new source in accordance with the cited regulations. For purposes of this section “establishment” shall mean to “begin actual construction” as that term is defined in NWCAA Section 200, and “new source” shall include any “modification” to an existing “stationary source” as those terms are defined in NWCAA Section 200.

No major stationary source or major modification as defined in the cited regulation shall begin actual construction without having received a PSD permit. Allowable emissions from the new source of major modification shall not cause or contribute to a violation of any ambient air quality standard.

An applicant for a PSD permit must submit an application that provides complete information for Department of Ecology to determine compliance with all PSD program requirements. The procedures for submitting a complete application, for public review and involvement, and for revisions to an existing PSD permit are provided in detail in the cited regulations (WAC 173-400-710 through 750).

2.5.9 Replacement or Substantial Alteration of Control Technology at an Existing Source

State Only: WAC 173-400-114 (8/15/01), NWCAA 300.13 (7/14/05)

Any person proposing to replace or substantially alter emission control technology installed on an existing stationary source or emission unit shall file a notice of construction application with the NWCAA.

2.5.10 Controls for New Sources of Toxic Air Pollutants

State Only WAC 173-460-030(1)

The owner or operator of a new toxic air pollutant source shall notify the NWCAA prior to the construction, installation, or establishment of the source and shall file a notice of construction application for the proposed emission unit(s) as per WAC 173-

460-040, -050, -080, -110, -150, and -160 (1/14/94) and WAC 173-460-070 and -140 (6/18/91).

2.5.11 Creditable Stack Height and Dispersion Techniques

State Only: WAC 173-400-200 (1/10/05)

For stacks for which construction or reconstruction commenced, or for which major modifications were carried out, after December 31, 1970, no source may use dispersion techniques or excess stack height to meet ambient air quality standards or PSD increment limitations.

2.5.12 False Statement, Representation or Certification

State Only: WAC 173-400-105(7) (1/10/05)

No person shall make any false material statement, representation or certification in any form, notice or report required under Chapter 70.4 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.5.13 Inaccurate Monitoring

State Only: WAC 173-400-105(8) (1/10/05)

No person shall render inaccurate any monitoring device or method required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.5.14 Prevention of Accidental Release

40 CFR 68 Subpart F (As amended through 8/20/2001)

The permittee shall not produce, process, handle or store any substance listed in 40 CFR 68.130 or any other extremely hazardous substance unless they identify hazards that might result from accidental releases using appropriate hazard assessment techniques, design and maintain a safe facility taking such steps as are necessary to prevent releases, and minimize the consequences of accidental releases that do occur.

2.5.15 Cutback Asphalt Paving

NWCAA 580.7 (4/14/93)

The application of cutback asphalt in paving during the months of June, July, August and September is limited to use as prime coatings and patch mixes, or when the temperature is less than 50 degrees F.

SECTION 3 – STANDARD TERMS AND CONDITIONS FOR NEW SOURCE PERFORMANCE STANDARDS

Standard terms and conditions are administrative and/or other requirements that typically have no ongoing compliance monitoring requirements. The permittee must comply with the requirements listed below for specific “affected facilities” as defined in the New Source Performance Standards (NSPS) in 40 CFR Part 60.2.

3.1 Part 60 – New Source Performance Standards

3.1.1 Address for Reports, Notifications and Submittals

Title 40 CFR 60.4(a) and (b) (4/25/75) (as amended by Delegation Letter of 2/5/03 from Betty Wiese, EPA Region X to James Randles, Director of NWCAA)

Notifications, reports, and applications for delegated NSPS shall be sent to the NWCAA at the following address:

Northwest Clean Air Agency
1600 South Second Street
Mount Vernon, WA 98273-5202

Authority to approve major changes in emission units, test methods and monitoring methods prescribed by Part 60 has not been delegated to NWCAA. Prior to filing an application under any NSPS regulation that authorizes EPA to approve alternate emission limits, test methods, or monitoring methods, the permittee shall consult with NWCAA to determine whether the application falls within the scope of NWCAA's delegated authority.

Applications under NSPS authorities that have been excluded from delegation shall be submitted to the NWCAA at the above address and to the EPA at the following address:

Director
Air and Waste Management Division
U.S. Environmental Protection Agency
1200 Sixth Avenue
Seattle WA 98101

3.1.2 Compliance with Opacity Standards

Title 40 CFR 60.11(b) and (c) (10/17/00)

Compliance with opacity standards in Part 60 shall be determined by EPA Method 9 in appendix A. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test. The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

3.1.3 Operation and Maintenance

Title 40 CFR 60.11(d) (10/17/00)

At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

3.1.4 Credible Evidence

Title 40 CFR 60.11(g) (10/17/00)

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

3.1.5 Circumvention

Title 40 CFR 60.12 (3/8/74)

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

3.1.6 Notification

Title 40 CFR 60.7(a) (2/12/99)(as amended by Delegation Letter of 2/5/03 from Betty Weise, EPA Region X to James Randles, Director of NWCAA)

Furnish written notification to NWCAA of the following:

- (i) The date construction (or reconstruction as defined by 60.15) of an affected facility commenced postmarked no later than 30 days after such date.
- (ii) Notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

- (iii) Notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.
- (iv) Notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 60.13 (c). Notification shall be postmarked not less than 30 days prior to such date.
- (v) Notification of the anticipated date for conducting the opacity observations required by 60.11(e)(1) of this part. The notification shall be postmarked not less than 30 days prior to such date.
- (vi) Notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 60.8 in lieu of Method 9 observation data as allowed by 60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

3.1.7 Startup, Shutdown, and Malfunction Records

Title 40 CFR 60.7(b) (2/12/99)

Maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

3.1.8 Excess Emission Records

Title 40 CFR 60.7(c) and (d) (2/12/99)(as amended by Delegation Letter of 2/5/03 from Betty Weise, EPA Region X to James Randles, Director of NWCAA)

Each owner or operator required to install a continuous monitoring device shall submit excess emissions (as defined in applicable subparts) and monitoring systems performance and/or summary report form to the NWCAA semiannually, except when: more frequent reporting is specifically required in any subpart; or the NWCAA determines that more frequent reporting is necessary. All semiannual monitoring certifications are due as follows:

- January 31 for reports from July through December
- July 31 for reports from January through June

3.1.9 Maintenance of Records

Title 40 CFR 60.7(f) (2/12/99)

Maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as described in 60.7(f)(1) through (3).

Note: Under WAC 173-401-615(2), records of required monitoring data and support information will be retained for a period of five years from the date of the monitoring sample, measurement, report, or application.

SECTION 4 - GENERALLY APPLICABLE REQUIREMENTS

The cited requirements in the “Citation” column and incorporated herein by reference are applicable plantwide at the source, including insignificant emission units. These requirements are federally enforceable unless identified as “state only”. A requirement designated “state only” is enforceable only by the state or the NWCAA, and not by the EPA or through citizen suits. The “Description” column is a brief description of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements (including testing) are specified in the “Monitoring, Recordkeeping and Reporting” column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units.

The requirements in the MR&R column labeled “directly enforceable” are legally enforceable requirements added under NWCAA’s “gap-filling” authority pursuant to WAC 173-401-615(1)(b). Other requirements not labeled “directly enforceable” are brief descriptions of the regulatory requirements for information purposes, and are not enforceable. Unless the text of the MR&R column is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement.

The provisions of federally approved NWCAA Section 365, Section 366 and the “Guidelines for Industrial Monitoring Equipment and Data Handling” have been replaced in this section by NWCAA Section 367 and Appendix A - “Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring”. NWCAA Section 367 and Appendix A were adopted on July 14, 2005 with a provision that one year from the date of adoption would be allowed to achieve compliance with Appendix A. The new regulations are “State Only” until incorporated into the State Implementation Plan. Section 367 and Appendix A are not materially different from the previous rule and guideline, but have been updated to include current monitoring technology and methods.

TABLE 4 - GENERALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
4.1 General	NWCAA 342.1 (7/14/05) Same as 4/14/93 SIP Version	<u>Operation and Maintenance</u> Process and air pollution control equipment shall be kept in good operating condition and repair.	Keep records of appropriate maintenance and repair work when performed.
4.2 General	NWCAA 342.2 (7/14/05) Same as 4/14/93 SIP Version	<u>Operation Instructions and Maintenance Schedules</u> Operating instructions and maintenance schedules shall be available to facility operators.	Keep operating instructions and maintenance schedules on site and make available to operators.

TABLE 4 - GENERALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
4.3 General	NWCAA 530 (3/9/00)	<u>General Nuisance</u> Emissions shall not cause damage, injury or an unreasonable interference with the enjoyment of life or property.	Complaints received by the NWCAA shall be promptly investigated by MPCC. If a complaint is determined to be valid, corrective action shall commence within three working days. The NWCAA shall be notified of corrective action taken and MPCC shall keep records of corrective action taken in written logs in accordance with applicable recordkeeping requirements. MPCC shall submit to the NWCAA an annual compliance certification that they have complied with the applicable requirements
4.4 General	WAC 173-400-040 (5) (8/20/93) Same as State Only 1/10/05	<u>Emission Detrimental to Persons or Property</u> Emissions shall not cause damage or detriment to health or property.	
4.5 Odor	NWCAA 535 (3/9/00)	<u>Odor Control Measures</u> Appropriate practices and control equipment shall be installed and operated to reduce odor-bearing gases emitted into the atmosphere. Any person unreasonably interfering with a property owner's use or enjoyment of his property must use recognized best practices to reduce odors to a reasonable minimum.	
4.6 Odor	WAC 173-400-040 (4) (1/10/05) State Only	<u>Odor Prevention</u> Source shall take reasonable precautions to prevent the release of fugitive odors.	
4.7 Fugitives	WAC 173-400-040 (3)(a) (1/10/05) State Only	<u>Fugitive Emissions For Attainment Area</u> Source shall take reasonable precautions to prevent the release of fugitive emissions.	
4.8 Fugitives	WAC 173-400-040 (8) (1/10/05) State Only	<u>Fugitive Dust Sources</u> Source shall take reasonable precautions to prevent release of fugitive dust.	
4.9 Particulate	NWCAA 550.1-4 (7/14/05) State Only	<u>Preventing Particulate Matter from Becoming Airborne</u> Use Reasonably Available Control Technology (RACT) to prevent the release of fugitive particulate matter and do not allow fugitive particulate matter to be deposited beyond the property lines of MPCC.	

TABLE 4 - GENERALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
4.10 Particulate	WAC 173-400-040 (2) (1/10/05) State Only	<u>Fallout</u> The release of nuisance particulate fallout is prohibited.	Follow Permit Term 4.3.
4.11 Visual	NWCAA 451.1 (5/11/95) State Only	<u>Visual Standard</u> Twenty percent (20%) opacity shall not be exceeded for any period aggregating more than three minutes in any sixty-minute period (WDOE Method 9).	If, at any time, visible emissions are observed by plant personnel, MPCC will take immediate corrective action, maintain records of observations and corrective action taken, and report the incident to the NWCAA as soon as possible.
4.12 Visual	WAC 173-400-040(1) (8/20/93) (Same as State Only 1/10/05 version)		

TABLE 4 - GENERALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
4.14 SO ₂	NWCAA 410 (4/14/93) NWCAA 367 (7/14/05) State Only	<u>Sulfur Oxide Standards</u> Ambient sulfur dioxide as measured at an ambient air monitoring station shall not exceed ambient air quality standards.	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
4.15 SO ₂	NWCAA 520 (4/14/93) State only (5/9/96)	<u>Sulfur Compounds in Fuel</u> Sulfur content of fuels burned shall not exceed: <ul style="list-style-type: none"> • #1 distillate - 0.3% • #2 distillate - 0.5% • Other distillate or solid fuels - 2.0% • Gaseous fuels - 412 ppm @ stp 	Provide assurance in annual compliance certification that fuels burned by the facility have met the allowable fuel bound sulfur limits. Use current appropriate test methods.

SECTION 5 - SPECIFICALLY APPLICABLE REQUIREMENTS

The cited requirements in the “Regulatory Citation” column, and incorporated herein by reference, are applicable to specific emission units at the plant, as designated by the sub headers in the table. These requirements are federally enforceable unless identified as “state only”. A requirement designated “state only” is enforceable only by the state or the NWCAA, and not by the EPA or through citizen suits. The “Description” column is a brief description of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements (including testing) are specified in the “Monitoring, Recordkeeping and Reporting” column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units.

The requirements in the MR&R column labeled “directly enforceable” are legally enforceable requirements added under NWCAA’s “gap-filling” authority pursuant to WAC 173-401-615(1)(b). Other requirements not labeled “directly enforceable” are brief descriptions of the regulatory requirements for information purposes, and are not enforceable. Unless the text of the MR&R column is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement.

The provisions of federally approved NWCAA Section 365, Section 366 and the “Guidelines for Industrial Monitoring Equipment and Data Handling” have been replaced in this section by NWCAA Section 367 and Appendix A - “Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring”. NWCAA Section 367 and Appendix A were adopted on July 14, 2005 with a provision that one year from the date of adoption would be allowed to achieve compliance with Appendix A. The new regulations are “State Only” until incorporated into the State Implementation Plan. Section 367 and Appendix A are not materially different from the previous rule and guideline, but have been updated to include current monitoring technology and methods.

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.1 General	NWCAA OAC 475g, Condition 5 and 10 (10/17/01) and NWCAA 366 (9/8/93) NWCAA 367 (7/14/05) State Only	<u>CEM Operation</u> Oxygen, CO, SO ₂ , NO _x and NH ₃ CEMs shall be used for continuous compliance determinations. Each monitor shall be certified in accordance with 40 CFR 60 Appendix B and operated in accordance with 40 CFR 60 Appendix F and NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).	Operate CEM's in accordance with NWCAA 367 and Appendix A - "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05). Maintain records and submit periodic reports as required. Records shall be kept available on site.
5.2 General	NWCAA OAC 475g, Conditions 7, 8, 9, and 13 (10/17/01)	<u>Monthly Reports</u> Submit monthly report to the NWCAA each calendar month. The report shall include: <ul style="list-style-type: none"> • Total gallons burned for diesel and jet fuel • SCF/hour burned in turbine and duct burner for each gaseous fuel • Btu/hour contribution to the turbine and duct burner • No. of hours butane and/or propane fired • No. of days duct burner in use • Mass rates in lbs./hour calendar month average for SO₂, NO_x, NH₃ and CO for each stack • The highest concentration in units of the standard for CO, NO_x, NH₃, and SO₂ <p>All pollutant limits shall not apply during startup and shutdown periods. Startup and shutdowns shall be done in accordance with good air pollution control practices.</p>	Submit monthly reports of all the required information within thirty days after the end of each calendar month. Excess emissions due to abnormal startup and shutdowns associated with an upset or breakdown (i.e., non-routine and unplanned) shall be reported to NWCAA within 12-hours of occurrence in accordance with permit term 2.4.6. Emissions due to normal startup and shutdowns (i.e., planned water washes, scheduled maintenance or unit displacements) are exempt from emission limits and associated reporting provided that the events are considered unavoidable as defined in permit term 2.4.9.

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.3 Particulate	NWCAA OAC 475g, Conditions 2d and 3b (10/17/01)	<p><u>NWCAA OAC Conditions 2d and 3b</u> When burning all fuel combinations except Avjet or low sulfur distillate fuel, PM-10 emissions shall not exceed:</p> <ul style="list-style-type: none"> • 11.5 lb/hr per stack • 29 tons/year both stacks combined <p>When firing Avjet or low sulfur distillate fuel:</p> <ul style="list-style-type: none"> • 21.5 lb/hr per stack • 29 tons/year both stacks combined 	If, at any time, visible emissions are observed by plant personnel, MPCC will take immediate corrective action, maintain records of observations and corrective actions taken, and report the incident to NWCAA as soon as possible.
5.4 Particulate	NWCAA 455.11 (4/14/93) State only (5/11/95)	<u>Emission of Particulate Matter</u> Particulate emissions shall not exceed 0.05 grain/dscf @ 7% O ₂ .	If, at any time, visible emissions are observed by plant personnel, MPCC will take immediate corrective action, maintain records of observations and corrective action taken, and report the incident to the NWCAA as soon as possible.
5.5 Particulate	WAC 173-400-050 (2/19/91) (Same as State Only 1/10/05 Version)	<u>Emission Standards for Combustion and Incineration Units</u> Particulate emissions shall not exceed 0.10 grain/dscf @ 7% O ₂ .	
5.6 Particulate	WAC 173-400-060 (2/19/91)	<u>Emission Standards for General Process Units</u> Particulate emissions shall not exceed 0.10 grain/dscf @ 7% O ₂ .	
5.7 Visual	NWCAA OAC 475g, Condition 2f (10/17/01)	<u>NWCAA OAC Condition 2f</u> Five percent (5%) opacity shall not be exceeded for more than six minutes in any one-hour period.	If visible emissions are observed by plant personnel, MPCC will take immediate corrective action and report the incident to the NWCAA as soon as possible.

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.8 Ammonia	NWCAA OAC 475g, Condition 2g (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2g</u> Ammonia emissions shall not exceed: <ul style="list-style-type: none"> • 10 ppmvd @ 15% O₂ calendar day average • 8.5 lb/hr calendar month average per stack • 37 tons/year per stack 	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.9 CO	NWCAA OAC 475g, Condition 2b (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2b</u> CO emissions shall not exceed: <ul style="list-style-type: none"> • 37 ppmvd @ 15% O₂ hourly average • 55 lb/hr calendar month average per stack • 96 lb/hr calendar month average both stacks combined • 304 tons/year both stacks combined 	
5.10 VOC	NWCAA OAC 475g, Condition 2e (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2e</u> VOC emissions shall not exceed: <ul style="list-style-type: none"> • 19.0 lb/hr per stack • 55 tons/year both stacks combined <p>Note: CO is monitored for VOC control as an indication of combustion efficiency.</p>	

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.11 SO ₂	40 CFR 60.105 (a)(3) (10/2/90) NWCAA 367 (7/14/05) State Only	<u>NSPS Subpart J – Petroleum Refineries</u> When burning refinery fuel gas, SO ₂ emissions shall not exceed: <ul style="list-style-type: none"> • 20 ppmvd @ 0% O₂ on a 3-hr rolling average • (5.6 ppmvd @ 15% O₂) 	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.12 SO ₂	NWCAA OAC 475g, Condition 2c and 3 (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2c and 3</u> When burning all fuel types, SO ₂ emissions shall not exceed: <ul style="list-style-type: none"> • 18 ppmvd @ 15% O₂ on a 3-hr rolling average and, • 38 tons/year both stacks combined and, when burning gaseous fuels: <ul style="list-style-type: none"> • 5.2 lb/hr calendar month average per stack and, when burning distillate fuels (including Avjet): <ul style="list-style-type: none"> • 25.4 lb/hr calendar month average per stack Distillate fuels (including Avjet) shall not exceed a sulfur content of 0.05% by weight based on a calendar month average.	

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.13 SO ₂	NWCAA 460 (4/14/93) State Only (7/14/05)	<u>Weight/Heat Rate Standard - Emission of Sulfur Compounds</u> SO ₂ emissions shall not exceed 1.5 lb/million Btu input heat per hour per stack.	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.14 SO ₂	NWCAA 462 (9/8/93) State Only (3/13/97)	<u>Emission of Sulfur</u> SO ₂ emissions shall not exceed 1,000 ppmvd @ 7% O ₂ hourly average.	
5.15 SO ₂	WAC 173-400-040 (6) (8/20/93) (Same as State Only 1/10/05 version)	<u>Emission of Sulfur</u> SO ₂ emissions shall not exceed 1,000 ppmvd @ 7% O ₂ hourly average.	
5.16 SO ₂	40 CFR 60.333(b), 60.334 (h), (i) and (j)(2), 60.335(b)(10) (7/8/04) NWCAA OAC 475g, Condition 14 (10/17/01)	<u>Subpart GG Fuel Bound Sulfur</u> Sulfur content of fuels limited to 0.8% by weight or sulfur dioxide emissions limited to 0.015 % (1,500 ppm) by volume at 15% oxygen on a dry basis. Any daily period during which the sulfur content of the fuel being combusted in the gas turbine exceeds 0.8 percent shall be deemed a period of excess emissions and be reported.	MPCC shall use SO ₂ CEMs to demonstrate compliance with this standard. MPCC received an approval for an alternate monitoring plan for Subpart GG from EPA Region X in a letter dated October 19, 1992 that allowed compliance determination by measuring SO ₂ in the turbine exhaust stack.

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.17 NOx	NWCAA OAC 475g, Condition 4 (10/17/01)	<p><u>NOx Emissions Shall Not Exceed</u> When burning all gaseous fuel combinations except 100% natural gas, Avjet or low sulfur distillate fuel,</p> <ul style="list-style-type: none"> • 13 ppmvd @ 15% O₂ calendar day average • 45 lb/hr calendar month average per stack • 264 tons/year both stacks combined <p>When firing 100% natural gas:</p> <ul style="list-style-type: none"> • 9 ppmvd @ 15% O₂ calendar day average • 45 lb/hr calendar month average per stack • 264 tons/year both stacks combined <p>When firing Avjet or low sulfur distillate fuel:</p> <ul style="list-style-type: none"> • 15 ppmvd @ 15% O₂ calendar day average • 45 lb/hr calendar month average per stack • 264 tons/year both stacks combined 	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.18 NOx	40 CFR 60.44b (8/14/01) and NWCAA OAC 475g, Condition 14 (10/17/01)	<p><u>NSPS Subpart Db – Steam Generating Units</u> NOx from duct burner shall not exceed 0.20 lb/MMBtu heat input, 30-day rolling average</p>	Monitoring, recordkeeping and reporting associated with Permit Term 5.17 is considered an alternative monitoring method for Permit Term 5.18.

TABLE 5 - SPECIFICALLY APPLICABLE REQUIREMENTS			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
COMBUSTION TURBINE UNITS 1 & 2			
5.19 NO _x	40 CFR 60.49b(g) (7/7/04) and NWCAA OAC 475g, Condition 14 (10/17/01)	<p><u>NSPS Subpart Db-Steam Generating Units</u> Maintain the following records for each steam generating day for the duct burner:</p> <ul style="list-style-type: none"> • Calendar date • Average hourly NO_x emission rates expressed as NO₂ in lb/million Btu heat input • Thirty day rolling average NO_x in lbs./million Btu heat input • Number of days in excess of NO_x standard • Number of days when pollutant data not obtained • Times when emission data not included in calculation of emission average • Identification of "F" factor used for calculations • Identification of times pollutant concentrations exceeded span of monitoring system • Description of modifications to CEMs that would affect ability to comply with Performance Specification 2 or 3. <p>Results of daily drift tests and quarterly accuracy assessments required under Appendix F, Procedure 1</p>	Monitoring, recordkeeping and reporting associated with Permit Term 5.17 is considered an alternative monitoring method for Permit Term 5.19.
5.20 NO _x	40 CFR 60.332(a)(1) and 60.334 (b) and (j)(1)(iii) (7/8/04)	<p><u>NSPS Subpart GG – Standard for NO_x</u> NO_x emissions shall not exceed 147ppmvd @ 15% O₂ based on a four hour rolling average (147 ppmvd is based on §60.332(a)(1) equation accounting for heat rate allowance and no fuel bound nitrogen).</p> <p>Monitor for excess emissions and report in accordance with NSPS requirements.</p>	<p>Operate CEMS in each stack for NO_x and O₂ in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).</p> <p>Report excess emissions for all periods of unit operation including startup, shutdown and malfunction.</p>

Combustion Turbine Unit 3

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.21 General	NWCAA OAC 476f, Condition 4 and 7 (10/17/01) and NWCAA 366 (9/8/93) NWCAA 367 (7/14/05) State Only	<u>CEM Operation</u> Oxygen, CO, SO ₂ , NO _x and NH ₃ CEMs shall be used for continuous compliance determinations. Each monitor shall be certified in accordance with 40 CFR 60 Appendix B and operated in accordance with 40 CFR 60 Appendix F and NWCAA 367 and “Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring” (7/14/05).	Operate CEM's in accordance with NWCAA 367 and “Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring” (7/14/05). Maintain records and submit periodic reports as required. Records shall be kept available on site.
5.22 General	NWCAA OAC 476f, Condition 6 (10/17/01)	<u>Monthly Reports</u> Submit monthly report to the NWCAA each calendar month. The report shall include: <ul style="list-style-type: none"> Total gallons burned for diesel and jet fuel SCF/hour burned in turbine and duct burner for each gaseous fuel Btu/hour contribution from the turbine and duct burner No. of hours butane and/or propane fired Number of days duct burner in use Mass rates in lbs/hour calendar month average for SO₂, NO_x, NH₃ and CO for the turbine The 12-month rolling average emissions of PM₁₀ and SO₂ in tons. PM₁₀ emissions shall be calculated based on the results of the most recent source test. The highest concentration in units of the standard for CO, NO_x, NH₃, and SO₂ <p>All pollutant limits shall not apply during startup and shutdown periods. Startup and shutdowns shall be done in accordance with good air pollution control practices</p>	Submit monthly reports of all the required information within thirty days after the end of each calendar month. Excess emissions due to abnormal startup and shutdowns associated with an upset or breakdown (i.e., non-routine and unplanned) shall be reported to NWCAA within 12-hours of occurrence in accordance with Permit Term 2.4.6. Emissions due to normal startup and shutdowns (i.e., planned water washes, scheduled maintenance or unit displacements) are exempt from emission limits and associated reporting provided that the events are considered unavoidable as defined in Permit Term 2.4.9.

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.23 Particulate	NWCAA OAC 476f, Conditions 2d, 3b, 5 and 6f (10/17/01)	<p><u>NWCAA OAC Conditions 2d, 3b, 5 and 6f</u> When burning all fuel combinations emissions shall not exceed:</p> <ul style="list-style-type: none"> • 17 lb/hr • 18 tons/year 12-month rolling period <p>Beginning in 2004 conduct source test for PM₁₀ emissions at a frequency as agreed upon by the NWCAA and MPCC. Source test to be conducted when turbine fired on distillate fuel.</p>	<p>Report the 12-month rolling PM-10 emissions in monthly reports which shall be calculated based on the most recent source test data.</p> <p>Report the 12-month rolling use of distillate fuel in monthly reports. Conduct a source test for PM-10 emissions while burning #2 distillate fuel within 60 days of exceeding the 12-month rolling limit of 2,376,000 gallons distillate fuel.</p> <p>- Directly Enforceable -</p>
5.24 Particulate	NWCAA 455.11 (4/14/93) State only (5/11/95)	<p><u>Emission of Particulate Matter</u> Particulate emissions shall not exceed 0.05 grain/dscf @ 7% O₂.</p>	
5.25 Particulate	WAC 173-400-050 (2/19/91) (Same as State Only 1/10/05 Version)	<p><u>Emission Standards for Combustion and Incineration Units</u> Particulate emissions shall not exceed 0.10 grain/dscf @ 7% O₂.</p>	<p>If, at any time, visible emissions are observed by plant personnel, MPCC will take immediate corrective action, maintain records of observations and corrective action taken, and report the incident to the NWCAA as soon as possible.</p>
5.26 Particulate	WAC 173-400-060 (2/19/91)	<p><u>Emission Standards for General Process Units</u> Particulate emissions shall not exceed 0.10 grain/dscf @ 7% O₂.</p>	
5.27 Visual	NWCAA OAC 476f, Condition 2f (10/17/01)	<p><u>NWCAA OAC Condition 2f</u> Five percent (5%) opacity shall not be exceeded for more than six minutes in any one-hour period.</p>	<p>If visible emissions are observed by plant personnel, MPCC will take immediate corrective action and report the incident to the NWCAA as soon as possible.</p>

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.28 Ammonia	NWCAA OAC 476f, Condition 2g (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2g</u> Ammonia emissions shall not exceed: <ul style="list-style-type: none"> 10 ppmvd @ 15% O₂ calendar day average 8.5 lb/hr calendar month average 37 tons/year 	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.29 CO	NWCAA OAC 476f, Condition 2b (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2b</u> CO emissions shall not exceed: <ul style="list-style-type: none"> 22 ppmvd @ 15% O₂ hourly average 22 lb/hr calendar month average 95 tons/year 	
5.30 VOC	NWCAA OAC 476f, Condition 2e (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2e</u> VOC emissions shall not exceed: <ul style="list-style-type: none"> 8 lb/hr 28 tons/year <p>Note: CO is monitored for as a surrogate for VOC control as an indication of combustion efficiency.</p>	
5.31 SO ₂	40 CFR 60.105(a)(3) (10/2/90) NWCAA 367 (7/14/05) State Only	<u>NSPS Subpart J - Petroleum Refineries</u> When burning refinery fuel gas, SO ₂ emissions shall not exceed: <ul style="list-style-type: none"> 20 ppmvd @ 0% O₂ on a 3-hr rolling average (5.6 ppmvd @ 15% O₂) 	

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.32 SO ₂	NWCAA OAC 476f, Condition 2c, 3 and 6f (10/17/01) NWCAA 367 (7/14/05) State Only	<u>NWCAA OAC Condition 2c, 3 and 6f</u> When burning all fuel types, SO ₂ emissions shall not exceed: <ul style="list-style-type: none"> • 18 ppmvd @ 15% O₂ on a 3-hr rolling average and, • 55 tons per 12-month rolling period and, when burning gaseous fuels: <ul style="list-style-type: none"> • 4.7 lb/hr calendar month average and, when burning distillate fuels (including Avjet): <ul style="list-style-type: none"> • 25.4 lb/hr calendar month average Distillate fuels (including Avjet) shall not exceed a sulfur content of 0.05% by weight based on a calendar month average.	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05). Report the 12-month rolling SO ₂ emissions in monthly report.
5.33 SO ₂	40 CFR 60.333 (7/8/04) and NWCAA OAC 476f, Condition 10 (10/17/01)	<u>NSPS Subpart GG – Fuel Bound Sulfur</u> <ul style="list-style-type: none"> • The sulfur content of fuels shall not exceed 0.8 % by weight • SO₂ emissions shall not exceed 150 ppmvd @ 15% O₂ 	
5.34 SO ₂	NWCAA 460 (4/14/93) State Only (7/10/05)	<u>Weight/Heat Rate Standard – Emission of Sulfur Compounds</u> SO ₂ emissions shall not exceed 1.5 lb/million Btu input heat per hour.	

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.35 SO ₂	NWCAA 462 (10/13/94) State Only (7/14/05)	<u>Emission of Sulfur Compounds</u> SO ₂ emissions shall not exceed 1,000 ppmvd @ 7% O ₂ hourly average.	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.36 SO ₂	WAC 173-400-040 (6) (8/20/93) (Same as State Only 1/10/05 version)	<u>Sulfur Dioxide</u> SO ₂ emissions shall not exceed 1,000 ppmvd @ 7% O ₂ calculated on an hourly average.	
5.37 SO ₂	40 CFR 60.106 (f)(1), (10/17/00)	<u>NSPS Subpart J - Test Methods</u> EPA 40 CFR Part 60 Appendix A Methods 6 and 3 shall be used for conducting the CEM relative accuracy evaluations.	
5.38 SO ₂	40 CFR 60.333(b), 60.334 (h), (i) and (j)(2), 60.335(b)(10) (7/8/04) NWCAA OAC 475g, Condition 14 (10/17/01)	<u>Subpart GG Fuel Bound Sulfur</u> Sulfur content of fuels limited to 0.8% by weight or sulfur dioxide emissions limited to 0.015 percent (1,500 ppm) by volume at 15% oxygen on a dry basis. Any daily period during which the sulfur content of the fuel being combusted in the gas turbine exceeds 0.8 percent shall be deemed a period of excess emissions and be reported.	MPCC shall use a SO ₂ CEMs to demonstrate compliance with this standard. MPCC received approval for an alternate monitoring plan for Subpart GG from EPA Region X in a letter dated October 19, 1992 that allowed compliance determination by measuring SO ₂ in the turbine exhaust stack.

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.39 NOx	NWCAA OAC 476f, Conditions 2a and 3 (10/17/01)	<p><u>NOx Emissions Shall Not Exceed:</u></p> <p>When burning all gaseous fuel combinations except 100% natural gas, Avjet or low sulfur distillate fuel and combinations of butanes and propanes:</p> <ul style="list-style-type: none"> • 9 ppmvd @ 15% O₂ calendar day average • 28 lb/hr monthly average • 74 tons/year <p>When firing 100% natural gas:</p> <ul style="list-style-type: none"> • 7 ppmvd @ 15% O₂ calendar day average • 18 lb/hr monthly average • 74 tons/hr <p>When firing butane and propane mixes:</p> <ul style="list-style-type: none"> • 11 ppmvd @ 15% O₂ calendar day average • 30 lb/hr monthly average • 74 tons/hr <p>When firing Avjet or low sulfur distillate fuel:</p> <ul style="list-style-type: none"> • 25 ppmvd @ 15% O₂ calendar day average • 87 lb/hr calendar month average • 74 tons/year 	Monitor stack pollutant concentration using CEM and report required information to the NWCAA within thirty days after the end of each calendar month. CEMs shall be operated in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).
5.40 NOx	40 CFR 60.44b (8/14/01) and NWCAA OAC #476f, Condition 10 (10/17/01)	<p><u>NSPS Subpart Db – Steam Generating Units</u></p> <p>NOx shall not exceed 0.20 lb/MMBtu heat input, 30-day rolling average.</p>	Monitoring, recordkeeping and reporting associated with Permit Term 5.39 is considered an alternative monitoring method for Permit Terms 5.40 and 5.41

SPECIFICALLY APPLICABLE REQUIREMENTS			
COMBUSTION TURBINE UNIT 3			
PERMIT TERM	REGULATORY CITATION	REGULATORY DESCRIPTION	MONITORING, RECORDKEEPING & REPORTING
5.41 NO _x	40 CFR 60.49b(g) (7/7/04) and NWCAA OAC 476f, Condition 10 (10/17/01)	<p><u>NSPS Subpart Db-Steam Generating Units</u> Maintain the following records for each steam generating day for the duct burner:</p> <ul style="list-style-type: none"> • Calendar date • Average hourly NO_x emission rates expressed as NO₂ in lb/million Btu heat input • Thirty day rolling average in lbs./million Btu heat input • Number of days in excess of NO_x standard • Number of days when pollutant data not obtained • Times when emission data not included in calculation of emission average • Identification of "F" factor used for calculations • Identification of times pollutant concentrations exceeded span of monitoring system • Description of modifications to CEMs that would affect ability to comply with Performance Specification 2 or 3. • Results of daily drift tests and quarterly accuracy assessments required under Appendix F, Procedure 1 	Monitoring, recordkeeping and reporting associated with Permit Term 5.39 is considered an alternative monitoring method for Permit Terms 5.40 and 5.41
5.42 NO _x	40 CFR 60.332(a)(1) (7/1804)	<p><u>NSPS Subpart GG – Standard for NO_x</u> NO_x emissions shall not exceed 147ppmvd @ 15% O₂ based on a four hour rolling average (147 ppmvd is based on §60.332(a)(1) equation accounting for heat rate allowance and no fuel bound nitrogen). Monitor for excess emissions and report in accordance with NSPS requirements.</p>	<p>Operate CEMS in each stack for NO_x and O₂ in accordance with NWCAA 367 and "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring" (7/14/05).</p> <p>Report excess emissions for all periods of unit operation including startup, shutdown and malfunction.</p>

SECTION 6 - INAPPLICABLE REQUIREMENTS

The regulations identified in the table below do not apply to the emission units at MPCC.

TABLE 6 - INAPPLICABLE REQUIREMENTS

CITATION	TITLE	BASIS
NWCAA Section 400 – 428 except 410	Ambient Air Standards	NWCAA requirement only
NWCAA Section 458	Incinerators - Wood Waste Burners	No affected sources
NWCAA Section 480	Solid Fuel Burning Device Standards	No affected sources
NWCAA Section 504	Outdoor Fires – Grass Seed Fields	No affected sources
NWCAA Section 510	Incinerator Burning	No affected sources
NWCAA Section 511	Refuse Burning Equipment	No affected sources
NWCAA Section 560	Storage of Organic Liquid	No affected sources
NWCAA Section 580	Volatile Organic Compound Control	No affected sources
WAC 173-400-070	Emission Standards for Certain Source Categories.	No affected sources
WAC 173-400-075	Hazardous Air Pollutants	No affected sources
WAC 173-433	Solid Fuel Burning Devices	No affected sources
WAC 173-434	Solid Waste Incinerator Facilities	No affected sources
WAC 173-490	Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC)	No affected sources
WAC 173-491	Emission Standards and Controls for Sources Emitting Gasoline Vapors	No affected sources
40 CFR 60.42b Subpart Db	Standard for Sulfur Dioxide	Duct burners burn only natural gas or refinery fuel gas
40 CFR 60.43b Subpart Db	Standard for Particulate Matter	Duct burners burn only natural gas or refinery fuel gas
40 CFR 60.102 Subpart J	Standard for Particulate Matter	No affected sources
40 CFR 60.103 Subpart J	Standard for Carbon Monoxide	No affected sources
40 CFR 60 Subpart K, Ka and Kb	NSPS for Volatile Organic Liquid Storage Tanks	No affected sources
40 CFR 61	NESHAP	No affected sources
40 CFR 63	MACT	No affected sources
40 CFR 73	Sulfur Dioxide Allowance System	No affected sources